

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for February 4, 2004 PLANNING COMMISSION MEETING

P.A.S.: Waiver #04001

PROPOSAL: Waive the lot depth associated with Bethany Heights 2nd Addition final plat #03076.

LOCATION: N. 63rd & Colby St.

LAND AREA: 0.28 acres, more or less

CONCLUSION: The reduction in lot depth is acceptable.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 8 & 9, Block 24, Bethany Heights located in the SE 1/4, of Section 16, Township 10 North, Range 7 East of the 6th P.M. Lincoln, Lancaster County, NE

EXISTING ZONING: R-2, Residential

EXISTING LAND USE: Single family house

SURROUNDING LAND USE AND ZONING:

North: R-2 Residential
South: R-2 Residential
East: R-2 Residential
West: R-2 Residential

HISTORY:

December 31, 2003 Bethany Heights 2nd Addition was submitted to the Planning Department

May 4, 1976 Subdivision Permit #1654 to subdivide Lots 13 & 14, Block 24, Bethany Heights was approved by the Planning Director.

March 17, 1975	Subdivision Permit #1574 to subdivide Lots 8 & 9, Block 35, Bethany Heights was approved by the Planning Director.
May 21, 1963	Subdivision Permit #400 to subdivide Lots 8 & 9, Block 45, Bethany Heights was approved by the Planning Director.
March 7, 1961	Subdivision Permit #98 to subdivide Lots 6 & 7, Block 23, Bethany Heights was approved by the Planning Director.
March 2, 1961	Subdivision Permit #95 to subdivide Lots 6 & 7, Block 36, Bethany Heights was approved by the Planning Director.
January 20, 1961	Subdivision Permit #91 to subdivide Lots 6 & 7, Block 45, Bethany Heights was approved by the Planning Director.
December 22, 1960	Subdivision Permit #86 to subdivide Lots 8 & 9, Block 36, Bethany Heights was approved by the Planning Director.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan shows this area as urban residential. (F-23)

Guiding Principles for the Urban Environment includes:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods and more dwelling units per acre in new neighborhoods. (F-17)

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (F-18)

Home ownership is the foundation upon which successful neighborhoods and communities are built. Citizens should be able to afford to buy a safe and decent home. (F-18)

Encourage mixed-use redevelopment, adaptive reuse and in-fill development including residential, commercial and retail uses. (F-18)

Require new development to be compatible with character of neighborhood and adjacent uses. (F-69)

ANALYSIS:

1. This request is to waive the required minimum lot depth associated with Bethany Heights 2nd Addition final plat.

2. Section 26.23.140 of the Land Subdivision Ordinance states that residential lots must have a minimum depth of ninety feet. The proposed lots have a depth of 86.89 feet and 86.82 feet.
3. The proposed lot configuration would be in character with the surrounding area. Lots on N. 63rd St. between Aylesworth Ave. and Leighton Ave. have been replatted from a north-south direction to a east-west direction.
4. There have been seven administrative subdivisions approved in this area to create lots similar to the proposed plat of Bethany Heights 2nd Addition.
5. Public Works & Utilities Department does not object to the waiver.

Prepared by:

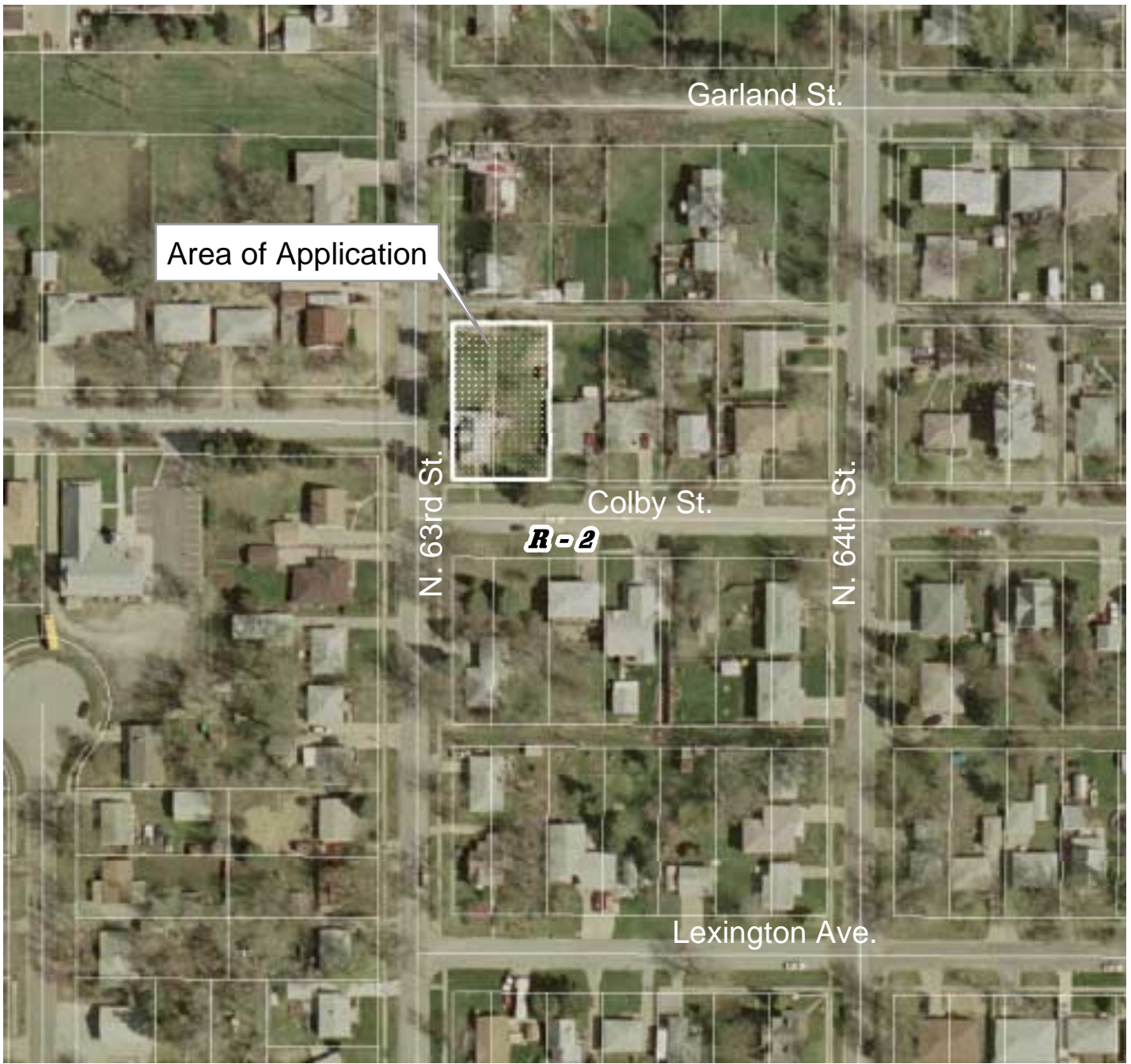
Tom Cajka
Planner

DATE: January 15, 2004

APPLICANT: Ken Rosburg
Rosburg Enterprises
P. O. Box 84772
Lincoln, NE 68501
(402) 430-5287

OWNER: same as applicant

CONTACT: same as applicant



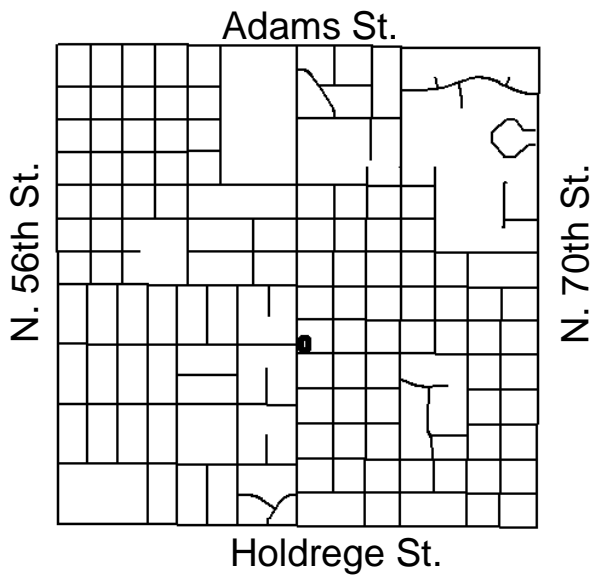
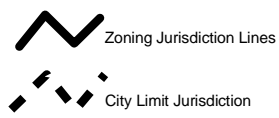
2002 aerial

Waiver #04001 **N. 63rd & Colby St** **Bethany Heights 2nd Add.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 16 T10N R7E



M e m o r a n d u m

To: Tom Cajka, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Bethany Heights Final Plat #03076 Waiver of Lot Depth
Date: January 15, 2004
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has received the request for waiver of the lot depth associated with the Bethany Heights Final Plat. Public Works has no comment.

FEE \$ 10.00 (one dollar per parcel)

NO. 1654

SE 1/4, SEC. 16, T. 10 N., R. 7 E

APPLICATION FOR SUBDIVISION PERMIT

TO THE LINCOLN CITY—LANCASTER COUNTY PLANNING DEPARTMENT

The undersigned hereby applies for a permit to subdivide the following described parcel of land:

LEGAL DESCRIPTION OF PROPERTY LOTS 13 AND 14, BLOCK 24,

BETHANY HEIGHTS, LINCOLN,

in Lancaster County, Nebraska

DESCRIPTION OF PARCELS CREATED:

DESCRIPTION KEY: Parcel numbers are not to be used for legal descriptions.

PARCEL 1 THE SOUTH 70 FEET OF LOTS 13 AND 14, BLOCK 24,

BETHANY HEIGHTS, LINCOLN, LANCASTER COUNTY, NEBRASKA

PARCEL 2 LOTS 13 AND 14, EXCEPT THE SOUTH 70 FEET THEREOF,

24, BETHANY HEIGHTS, LINCOLN, LANCASTER COUNTY, NEBRASKA

PARCEL 3

PARCEL 4

APPROVED THIS 4th DAY OF MAY 1976

1. CITY OF LINCOLN, AND ITS CITY COUNCIL

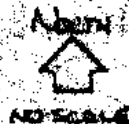
D.E. Brown or Reddy P. Harris
PLANNING DIRECTOR

—OR—

2. LANCASTER COUNTY, AND
ITS COUNTY BOARD

CHAIRMAN, COUNTY BOARD

COUNTY SURVEYOR



COUNTY

I HEREBY CERTIFY THAT THE ABOVE
STATEMENTS ARE CORRECT

Stanley R. Schaubert

Anna M. Schaubert

OWNER

FEES \$1.00 (one dollar per parcel)

NO. 1574

1/4, SEC. 16 T. 10 N. R. 7 E

APPLICATION FOR SUBDIVISION PERMIT

TO THE LINCOLN CITY—LANCASTER COUNTY PLANNING DEPARTMENT

The undersigned hereby applies for a permit to subdivide the following described parcel of land:

LEGAL DESCRIPTION OF PROPERTY LOTS 8 AND 9, BLOCK 35, BATHURST HEIGHTS,

LINCOLN,

in Lancaster County, Nebraska

DESCRIPTION OF PARCELS CREATED:

DESCRIPTION KEY: Parcel numbers are not to be used for legal descriptions.

PARCEL 1. THE NORTH 72 FEET OF LOTS 8 AND 9, BLOCK 35, BATHURST

HEIGHTS, LINCOLN, LANCASTER COUNTY, NEBRASKA

PARCEL 2. LOTS 8 AND 9, EXCEPT THE NORTH 72 FEET THEREOF

BATHURST HEIGHTS, LINCOLN, LANCASTER COUNTY, NEBRASKA

PARCEL 3.

PARCEL 4.

APPROVED THIS 17 DAY OF MARCH 1975

1. CITY OF LINCOLN, AND ITS CITY COUNCIL

DE. B. BROWN, JR. BY RALPH P. KLEIN

PLANNING DIRECTOR

—OR—

2. LANCASTER COUNTY, AND ITS COUNTY BOARD

CHAIRMAN, COUNTY BOARD

COUNTY SURVEYOR

PLANNING DIRECTOR



I HEREBY CERTIFY THAT THE ABOVE STATEMENTS ARE CORRECT

Carroll M. Venter

OWNER

6304 WASHINGTON AVE.

ADDRESS

FEE \$ 2.00 (one dollar per parcel)

NO. 400

SE 1/4, SEC. 16 T. 10 N., R. 7 E.

APPLICATION FOR SUBDIVISION PERMIT

TO THE LINCOLN CITY—LANCASTER COUNTY PLANNING DEPARTMENT

The undersigned hereby applies for a permit to subdivide the following described parcel of land:

LEGAL DESCRIPTION OF PROPERTY LOTS 8 & 9, BLK 45, BETHANY HEIGHTS

in Lancaster County, Nebraska

DESCRIPTION OF PARCELS CREATED:

DESCRIPTION KEY: Parcel numbers are not to be used for legal descriptions.

PARCEL 1 S. 75' OF LOTS 8 & 9, BLK 45, BETHANY HEIGHTS

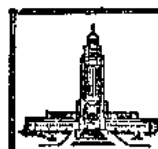
PARCEL 2 N. 75' OF LOTS 8 & 9, BLK 45, BETHANY HEIGHTS

PARCEL 3

PARCEL 4

THIS IS TO CERTIFY THIS IS A TRUE AND EXACT COPY
OF SUBDIVISION PERMIT NO. AS THE SAME APPEARS
IN THE RECORDS OF THE LINCOLN CITY—LANCASTER COUNTY
PLANNING DEPARTMENT.

Rodger P. Harris



CAROL J. WALKER
GENERAL NOTARY
State of Nebraska
My Commission Expires
May 14, 1976

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28th
DAY OF June, 19 73

Carol J. Walker
NOTARY PUBLIC

APPROVED THIS 21 DAY OF MAY 1963

1. CITY OF LINCOLN, AND ITS CITY COUNCIL

DE. BRIDGEN BY RODGER P. HARRIS
PLANNING DIRECTOR (SIGNATURE)

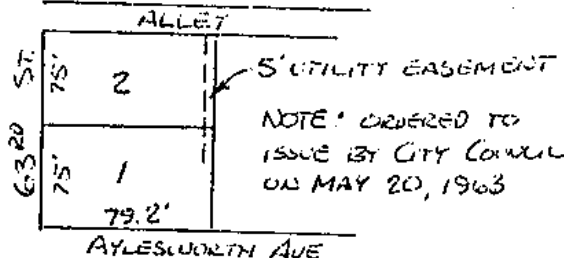
—OR—

2. LANCASTER COUNTY, AND
ITS COUNTY BOARD

CHAIRMAN, COUNTY BOARD

COUNTY SURVEYOR

PLANNING DIRECTOR



I HEREBY CERTIFY THAT THE ABOVE
STATEMENTS ARE CORRECT

PAUL C. HOOD
OWNER (SIGNATURE)

ADDRESS

NO. 98

SE 1/4 SEC. 16 T. 10 N. R. 7 E

APPLICATION FOR SUBDIVISION PERMIT TO THE CITY PLANNING DEPARTMENT

FEE \$ 2.00 (one dollar per lot).

The undersigned hereby applies for a permit to subdivide the following described parcel of land:
LEGAL DESCRIPTION OF PROPERTY ~~Subdivided~~ Lots 6 & 7, Blk 23

BETHANY HEIGHTS - SE 1/4 SEC 16 - T 10 N - R 7 E

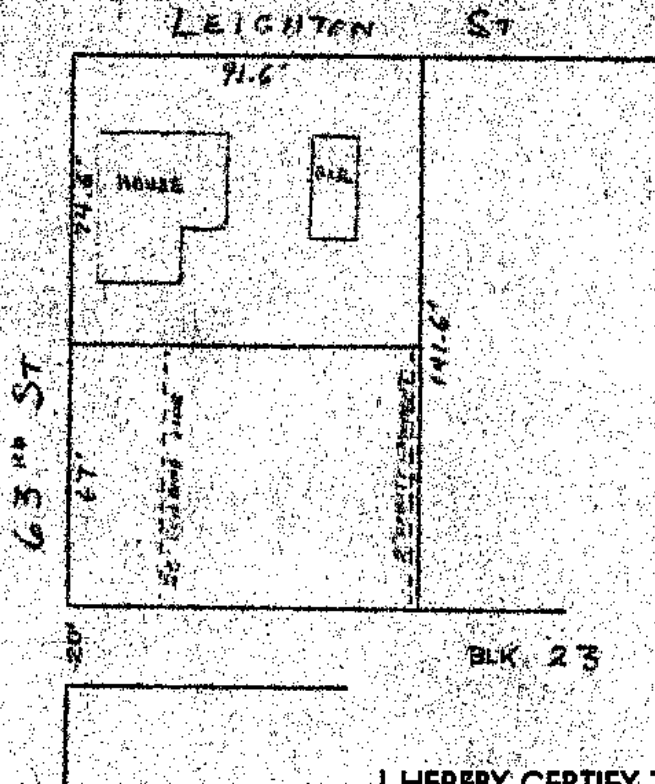
DESCRIPTION OF LOTS CREATED:

LOT 1 N 74.6' of LOTS 6 AND 7, BLK 23, BETHANY HEIGHTS

LOT 2 S 67' of LOTS 6 AND 7, BLK 23, BETHANY HEIGHTS

LOT 3

LOT 4



I HEREBY CERTIFY THAT THE ABOVE
STATEMENTS ARE CORRECT

APPROVED March 7, 1961

DATE

D. E. BRIDGEMAN

PLANNING DIRECTOR

C. Q. Thompson

APPLICANT

6307 Leighton

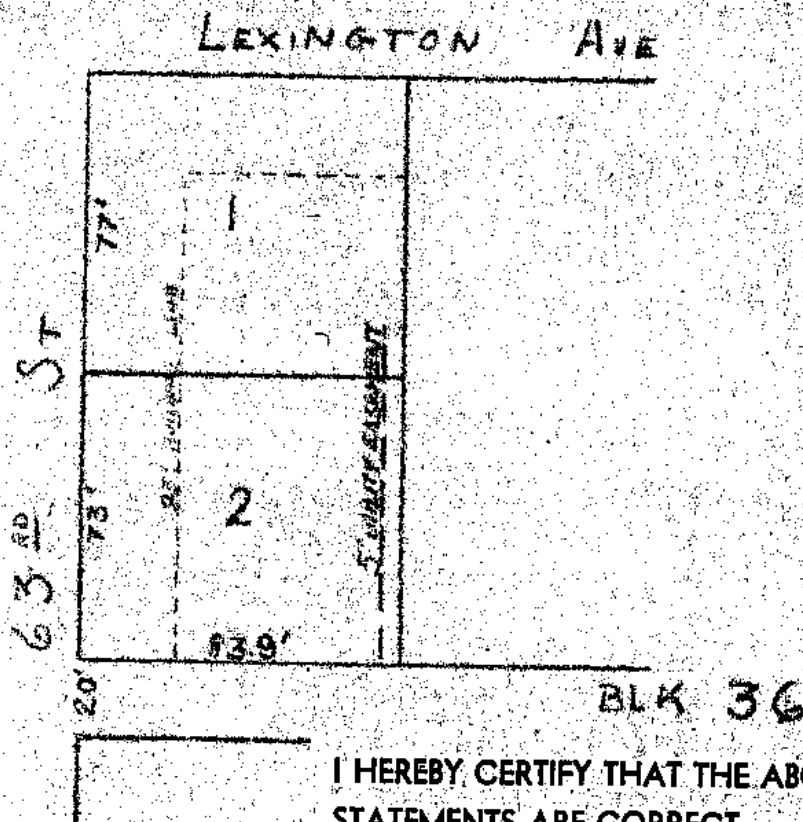
ADDRESS

SE 1/4, SEC. 16 T. 10 N. R. 7 E.

FEE \$ 2.00 (one dollar per lot).

The undersigned hereby applies for a permit to subdivide the following described parcel of land:
LEGAL DESCRIPTION OF PROPERTY LOTS 6 AND 7 BLK 36 BETHANY
HEIGHTS SE 1/4 SEC 16 - T10N - R7E

LOT 1 N 77' OF LOTS 6 AND 7 BLK 36, BETHANY HEIGHTS
LOT 2 S 73' OF LOTS 6 AND 7 BLK 36, BETHANY HEIGHTS
LOT 3 _____
LOT 4 _____



I HEREBY CERTIFY THAT THE ABOVE
STATEMENTS ARE CORRECT.

APPROVED MARCH 2, 1961 DATE _____
DE BROGREN
 PLANNING DIRECTOR BY WILL R. DUNN

APPLICANT SWING

5124 4th

ADDRESS

NO. 91

SE $\frac{1}{4}$, SEC. 16 T. 10 N. R. 7 E

APPLICATION FOR SUBDIVISION PERMIT TO THE CITY PLANNING DEPARTMENT

FEE \$ 2.00 (one dollar per lot).

The undersigned hereby applies for a permit to subdivide the following described parcel of land:
LEGAL DESCRIPTION OF PROPERTY LOTS 6 AND 7, BLOCK 45, BETHANY
HEIGHTS, SE $\frac{1}{4}$ SEC 16, T10N - R7E

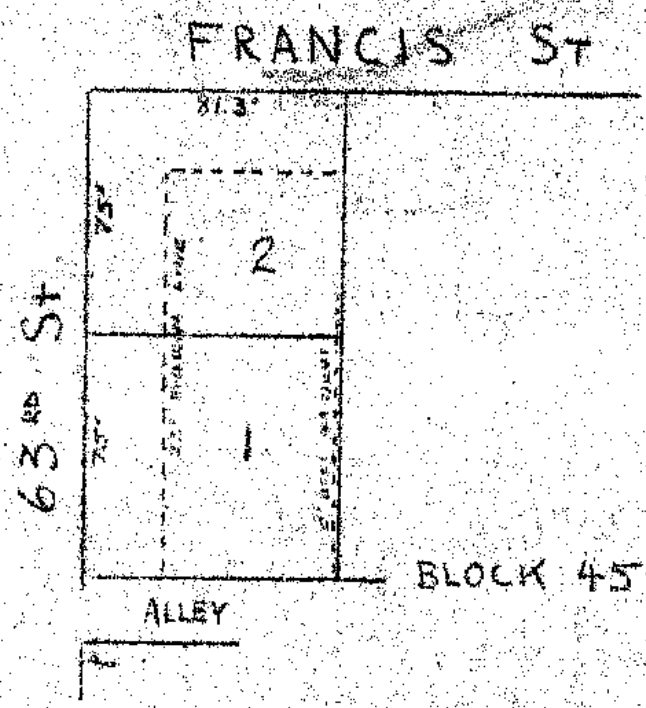
DESCRIPTION OF LOTS CREATED:

LOT 1 S 75' OF LOTS 6 AND 7, BLOCK 45, BETHANY HEIGHTS

LOT 2 N 75' OF LOTS 6 AND 7, BLOCK 45, BETHANY HEIGHTS

LOT 3 _____

LOT 4 _____



I HEREBY CERTIFY THAT THE ABOVE
STATEMENTS ARE CORRECT

APPROVED JAN 20 1961

DATE

Wm. H. C. Ford
APPLICANT

DE BROADEN

PLANNING DIRECTOR

ADDRESS

3221 716

NO. 86
S.E. 1/4, SEC. 16 T. 10N R. 7E

APPLICATION FOR SUBDIVISION PERMIT TO THE CITY PLANNING DEPARTMENT

FEE \$ 2.00 (one dollar per lot).

The undersigned hereby applies for a permit to subdivide the following described parcel of land:
LEGAL DESCRIPTION OF PROPERTY Lots 8 and 9 Block 36

of Bethany Heights

DESCRIPTION OF LOTS CREATED:

LOT 1 THE SOUTH 76' OF LOTS 8 and 9 6019 sq. ft.

LOT 2 THE NORTH 74' OF LOTS 8 and 9 5860.8

LOT 3

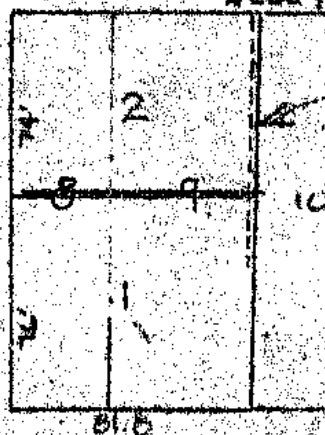
LOT 4

FRANCIS STREET

ALLEY

(NOTE)
THIS PERMIT REQUIRES

63rd STREET



A 5' WIDE EASEMENT
EXISTING, GO SOUTH ALONG THE
EAST LOT LINE OF OLD LOT 9
FROM THE ALLEY RIGHT OF WAY
LINE.

easement received
D.E.

FRANCIS STREET

I HEREBY CERTIFY THAT THE ABOVE
STATEMENTS ARE CORRECT

APPROVED Dec. 22, 1960 DATE

Charles E. Ramsey
APPLICANT (OWNER)

D. E. Brogden
PLANNING DIRECTOR

ADDRESS

LEMON'S

JACKSON

REM. PORT.

REM. PORT.

ADD.

REM. PORT.

2128

2220

2220

416	50								
416	7	6	3	4	3	2	1	141	
2230								2231	

50									
50	6	3	4	3	2	1	141		
2230								2231	

2210									
140	9	10	11	12	13	14	140		
2200								2210	

2214									2217
140	1	8	9					11	13
2270								2201	

2140									
140	6	3	4	3	2	1	140		
2130								2129	

50									
140	6	3	4	3	2	1	140		
2130								2129	

2175									
140	9	10	11	12	13	14	140		
2175								2176	

2175									
140	9	10	11	12	13	14	140		
2175								2176	

SUB.

REMAINING PORTION

DONALD COURT

SHURTLEFF'S

REPLAT

REMAINING PORT.

REMAINING PORT.

REMAINING PORT.

REMAINING PORT.

REMAINING PORT.

2030									
140	6	3	4	3	2	1	140		
2030								2031	

2030									
140	6	3	4	3	2	1	140		
2030								2031	

2000									
140	9	10	11	12	13	14	140		
2000								2001	

2000									
140	9	10	11	12	13	14	140		
2000								2001	

1900									
140	9	10	11	12	13	14	140		
1900								1901	

1900									
140	9	10	11	12	13	14	140		
1900								1901	

1840									
140	9	10	11	12	13	14	140		
1840								1841	

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1720								1721	

1720									
140	9	10	11	12	13	14	140		
1720								1721	

MOORE SUB.

LEANOR

REPLAT

FRANCIS

SOCHA'S

REPLAT

